

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Adam Michael Tomisser Case Number: 0980 2:11CR02115-EFS-1

Address of Offender: [REDACTED] Washington 98942

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: July 11, 2012

Date of Resentencing: August 16, 2016

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 78 months; Type of Supervision: Supervised Release
TSR - 36 monthsRe-Sentencing: Prison - 57 months;
(08/16/2016) TSR - 36 months

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: August 16, 2016

Defense Attorney: Alison Guernsey Date Supervision Expires: August 15, 2019

PETITIONING THE COURT

To issue a warrant and incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/25/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition # 21: The defendant shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the Court. The defendant shall contribute to the cost of treatment according to his ability to pay. The defendant shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On February 2, 2017, Mr. Tomisser was released from the Yakima County Jail and was transported to Sundown M Ranch where he entered the inpatient substance abuse treatment program. He aborted treatment and exited the facility during the evening of February 6, 2017. Prior to exiting, he told staff he was leaving. Staff observed the offender exit the facility, enter into a vehicle, and subsequently vacate the premises.

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Standard Condition #15: The defendant shall not communicate or interact with someone the defendant knows is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, the defendant must not knowingly communicate or interact with that person without first getting the permission of the probation officer.

Supporting Evidence: On January 25, 2017, Mr. Tomisser disclosed he has been in a relationship with Jessica Miller since about August 2016. He stated he met Ms. Miller while he was at the Residential ReEntry Center (RRC) in Spokane, Washington. He confirmed he knew she was a convicted felon and admitted he was required to first gain permission from a U.S. Probation officer prior to communicating or interacting with her. He stated he knew she was currently a fugitive from federal probation and indicated they have been using methamphetamine together since on or about January 19, 2017. The offender said she drove him to Yakima, Washington, on January 25, 2017, with the agreement they would both turn themselves into probation, go into custody, attend treatment and continue to cultivate their relationship.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 7, 2017

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

February 7, 2017

Date